

IN THE DISTRICT COURT OF CHERRY COUNTY, NEBRASKA

THE STATE OF NEBRASKA,
Plaintiff,

vs.

MICHAEL D. IVERSON,
Defendant.

Case No. CR02-14

JUDGMENT AND SENTENCE

HEARING DATE: January 2, 2003.

APPEARANCES:

For plaintiff: Eric A. Scott, Cherry County Attorney.
For defendant: defendant with counsel, John P. Heitz.

CHARGES: Count 1: Theft of Services; § 28-515; Class IV felony.

PROCEEDINGS:

Prior Proceedings: ☐ reviewed by court;
 ☐ no motions;
 ☐ motion for _____ considered,
 ☐ no evidence, ☐ evidence for defendant, ☐ evidence for plaintiff,
 argument for defendant: ☐ heard ☐ waived,
 argument for plaintiff: ☐ heard ☐ waived,
 motion is ☐ denied ☐ granted, further relief _____

Restitution Hrg: ☐ defendant previously waived hearing, stipulated to restitution to:
 Count 1: JAYCO, Inc., holding company of Valentine Comfort Inn, of
 \$1,757.59.

Presentence: ☐ presentence report disclosed to defendant
 ☐ defendant has reviewed report
 ☐ defendant has not reviewed report, granted add'l time, recess taken
 ☐ defendant has not reviewed report, waives further review
 defendant's objections, additions, corrections: ☐ none ☐ stated, ruling
 on record
 plaintiff's objections, additions, corrections: ☐ none ☐ stated, ruling on
 record

Evidence: plaintiff: ☐ has no evidence ☐ adduces evidence on sentencing
 defendant: ☐ has no evidence ☐ adduces evidence on sentencing

Arguments: argument of plaintiff's counsel is: ☐ heard ☐ waived
 argument of defendant's counsel is: ☐ heard ☐ waived

Allocution: upon inquiry by Court, defendant:
 ☐ states no reason why sentence should not be pronounced, and,
 ☐ makes no statement ☐ exercises right of allocution

FINDINGS: ☐ stated on record ☐ not specifically stated

SENTENCE: IT IS THE JUDGMENT AND SENTENCE OF THE COURT that the defendant is sentenced:

On Count No. 1: ☎ to imprisonment and committed to the Cherry County Jail for a period of 102 days, with 102 days credit for time served before sentencing; and,

☎ to pay \$1,757.59 restitution to the clerk of this court, for disbursement to JAYCO Inc., holding company of Valentine Comfort Inn, to be paid in monthly installments of \$100.00 commencing on February 1, 2003, and on the first day of each month thereafter until paid; and,

☎ to pay court costs of \$_____ to the clerk of this court on or before March 1, 2003.

Remand/
Commitment: ☎ Because no jail time remains after credit for time served, there is no commitment to be issued.

Further App.: ☎ It is further ordered that in the event the defendant shall fail to pay any fine, costs, or restitution as ordered above, the defendant shall appear at the first regular session of this court after the expiration of time for payment thereof, and show cause, if any there be, why the defendant should not be held in contempt of court and punished for failure to comply therewith.

Bond: No bond was posted.

Other: ☎ _____.

Signed at **Valentine**, Nebraska, on **January 2, 2003**;
DEEMED ENTERED upon file stamp date by court clerk.
If checked, the court clerk shall:

BY THE COURT:

☎ Mail a copy of this judgment to all counsel of record and any pro se parties.
Done on _____, 20____ by _____.

☎ Immediately transcribe trial docket entry dictated in open court.
Done on _____, 20____ by _____.

☎ Deliver certified copy of judgment and original commitment to sheriff for execution of sentence.
Done on _____, 20____ by _____.

☎ Mail postcard/notice required by § 25-1301.01 within 3 days.
Done on _____, 20____ by _____.

☎ Enter judgment on the judgment record.
Done on _____, 20____ by _____.

William B. Cassel
District Judge

Mailed to: